

Time 1 hr. 28 mins

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

convened 3:39
Recess 5:05

CRIMINAL MINUTES - GENERAL

Case No. 1:02-CR-100(1) Date 2/3/06

Case Caption: USA vs. John Duncan AKA Giovanni Stengetti

DOCKET ENTRY:

see below

PRESENT:

HONORABLE: Walter H. Rice, JUDGE

Karla Evans
Deputy Clerk

Debra Fentroll
Court Reporter

PLAINTIFF ATTORNEYS:

J. Richard Chene
for Amel Thapar

DEFENDANT ATTORNEYS:

Kevin Spiering

PROCEEDINGS:

Sentencing Hearing (continued from 6/16/05; Video Conference of Dr. Kevin McBride, Forensic Psychologist FCI Butner, NC; testimony taken; request of counsel for deft to be transferred to Hamilton County Justice Center by USM, for an evaluation by Dr. Melvin Sizny; conference call set for F. 2/10/06 @ 5:15 PM)

Video Conf time: 3:39-5:03
5:03-5:07Case No. 1:02CR100(1)Date: 2/3/06Case Caption: USA vs. John DUMAKA ^{sworn} ~~Margotti~~ Page: 1Court Reporter: Debra Futiell Courtroom Deputy: Karla Evans

Plaintiff	Defendant	Exh	Item	Atty	Exam	Time
			represent state of the record; Court			3:39
			Cont. Sentencing Xg. from 6/16/05			
			Perf. Cmt: J. Richard Chema for Annul Thapau			
			Deft: Kevin Sciering			
			By video conference:			
	(sworn)		Dr. Kevin McBride	Court	Dir	3:42
			Forensic Psychologist			
			FCT Butler, NC			
			training & experience; cognitive distortions;			
			anti-social personality			
			disorder; difficult to treat;			
			forms of treatment - anger			
			management forms - impulsive			
			control management;			
			distortions of thought			
			treatment not very successful;			
			great likely hood of recidivism;			
			strong relationships between			
			lying & the anti-social			
			personality disorder			
			copy of medical records	Spring	Cross	4:15
			21 pgs. tendered to Court & Accel			
			Dr. Kevin McBride	Spring	Cross	4:16
			re: 2 nd Suppl. Sentence Memo			
			w/ excerpt of treatise			

Case No. 1:02 CR 100(1)Date: 2/3/06Case Caption: USA vs DuncanPage: 2Court Reporter: FutrellCourtroom Deputy: Evans

Plaintiff	Defendant	Exh	Item	Atty	Exam	Time
			Dr. Kevin McBride	Spiering	^{and} Cross	4:18
			Diagnostic Desk Reference			
			pg. 250 - missing page "cluster"			
			Anti-social - Cluster B			
			pg. 251: differential diagnosis			
			TIP: Competency Report			
			Mental Health Diagnostic Document			
			pg. 647 1 st paragraph - 2 nd sentence			
			1 time interview & initial			
			evaluation; Medical Records			
			pg. 6 of 21; pg. 12 of 21			
			Competency Report pg. 3;			
			Mental Health History;			
			Diagnostic Document pg. 649-650			
			factors that make up deft anti-			
			social personality disorder;			
			re: prognosis; Desk Ref. Manual			
			pg. 648			
			Dr. Kevin McBride	Cham	Reduct	4:55
			stip deft is 33 yrs old			
			Video Concludes @ 5:03	Spiering	Approach	4:59
			re: referring deft	Court		
			locally for evaluation	Spiering	Approach	
			Dr. Kevin Sigry	Spiering		
			in Court			

set c/c - 2/10/06 @ 5:15
late 2/10/06